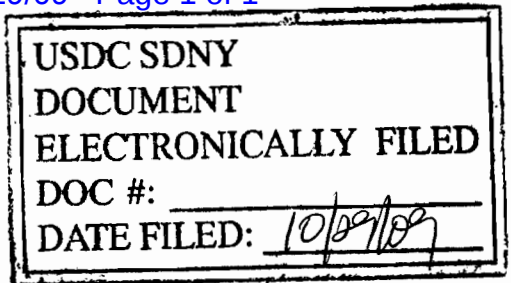


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
BUNGE S.A. GENEVA,

Plaintiff,

-against-

PIONEER FREIGHT FUTURES CO., LTD BVI,
and PIONEER FREIGHT METALS CO., LTD BVI

Defendants.
-----X

08 Civ. 11267 (SHS)

ORDER

SIDNEY H. STEIN, U.S. District Judge.

Plaintiff Bunge S.A. Geneva commenced this admiralty action on December 29, 2008 by filing a complaint and seeking an ex parte Order of Maritime Attachment pursuant to Fed. R. Civ. P. Supp. R. B. That same day, the Court denied the request for an Order of Attachment finding that the defendants could be found within the jurisdiction, and therefore, that the requirements of Rule B had not been met. Ten months having now elapsed since that request was denied and plaintiff having taken no further action in this matter including serving any defendant, IT IS HEREBY ORDERED that the case be dismissed for failure to prosecute. See Fed. R. Civ. P. 41(b).

Dated: New York, New York
October 29, 2009

SO ORDERED:

A handwritten signature in black ink, appearing to read "S. H. Stein".

Sidney H. Stein, U.S.D.J.